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CONSTITUTIONAL LAW—DUE PROCESS OF LAW—FORFEITURE BY GAME WARDEN WITHOUT GIVING OWNER OPPORTUNITY FOR HEARING UNCONSTITUTIONAL—QUAERE: IS SECTION 2070B, CLAUSES 5 & 6, CONSTITUTIONAL AS TO FORFEITURE?—A statute authorizing game wardens to seize and forfeit to the state summarily, without affording the owner thereof opportunity for a hearing, all guns, ammunition, decoys, fishing-tackle, etc., in actual use by persons hunting in violation of the game law, is held, in *McConnell v. McKillip* (Neb), 65 L. R. A. 610, to be void as depriving the owner of his property without due process of law.

See note 10 Va. Law. Reg. 742 (December number), where it is claimed that a similar provision of the Virginia fish laws is unconstitutional.

Sec. 2070b(5) Va. Code Anno., authorizes any court, judge or justice having jurisdiction of the offense, if satisfied upon affidavit that there is reasonable cause to believe that game, song-birds, etc., taken or killed contrary to the laws of this state, or of the United States, are being concealed, may issue a search-warrant therefor; and sec. 2070b(6) provides that all guns, gunning or hunting appliances found in such search shall be seized by such warden or other officer, and held subject to the payment of the fine prescribed by law for the offense charged, and the cost of prosecution; and all such articles shall be sold at public auction, after the lapse of twenty days from the time of seizure, after such notice as the court, etc., may prescribe, unless the reputed owner appears and acquits himself of the charge or pay the fine imposed. Quaere: Is this proceeding due process of law? C. B. G.

CONSTITUTIONAL LAW—DUE PROCESS OF LAW—SEIZURE OF GAMING TABLES.—A statute authorizing the seizure and withholding of gaming tables or other instruments of gaming until after the trial of the owner on a charge of using them for gambling purposes is held, in *Woods v. Cottrell* (W. Va.), 65 L. R. A. 616, not to be unconstitutional as depriving a person of his property without due process of law.

DIVINE HEALING FRAUDULENT—NOT PROTECTED BY LAWS AGAINST LIBEL.—The business of pretending to heal absent patients by supernatural powers without medicine or surgery is held, in *Weltmer v. Bishop* (Mo.), 65 L. R. A. 584, to be fraudulent, and not protected by the law against libel, although many persons claimed to have been benefited by the treatment.

TELEGRAPH COMPANIES—LIABILITY FOR MENTAL ANGUISH—SEC. 1294i (10) VA. CODE ANNO.—The right to recover damages for mental suffering for failure to deliver telegram, although not accompanied by physical suffering or injury, is sustained in *Barnes v. Western U. Teleg. Co.* (Nev.), 65 L. R. A. 666.

Under Acts 1899-1900, p. 724, substantially the same as sec. 1294i (10) Va. Code Anno., a different rule was laid down, in *Connelly v. Western U. Teleg. Co.*, 100 Va. 51, 40 S. E. 618, 56 L. R. A. 663, 93 Am. St. Rep. 919, where it was held that damages for mental suffering, independent of any injury to person or estate, cannot be recovered against a telegraph company for negligent failure to deliver a message as promptly as practicable, although the company is advised